

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
Plaintiff,

Case No. CR-08-0237 EMC

v.

**VERDICT FORM**

DAVID NOSAL,  
Defendant.

**WE, THE JURY**, in the above-entitled case find the following beyond a reasonable doubt:

**COUNT NO. 1**

**CONSPIRACY**

1. We, the Jury in the above-entitled case, unanimously find the defendant DAVID NOSAL guilty ☒ or not guilty \_\_\_\_\_ of conspiring to misappropriate, receive, possess, or transmit trade secrets, or gain unauthorized access to a computer used in interstate or foreign commerce or communication, in violation of 18 U.S.C. § 371.

**COUNT NO. 2**

**COMPUTER FRAUD**

2. We, the Jury in the above-entitled case, unanimously find the defendant DAVID NOSAL guilty ☒ or not guilty \_\_\_\_\_ of gaining unauthorized access to a computer

1 used in interstate or foreign commerce or communication with intent to defraud and obtaining  
2 something of value on or about April 12, 2005, in violation of 18 U.S.C. § 1030(a)(4).

3  
4 **COUNT NO. 3**

5 **COMPUTER FRAUD**

6 3. We, the Jury in the above-entitled case, unanimously find the defendant DAVID  
7 NOSAL guilty ☒ or not guilty \_\_\_\_\_ of gaining unauthorized access to a computer  
8 used in interstate or foreign commerce or communication with intent to defraud and obtaining  
9 something of value on or about July 12, 2005, in violation of 18 U.S.C. § 1030(a)(4).

10  
11 **COUNT NO. 4**

12 **COMPUTER FRAUD .**

13 4. We, the Jury in the above-entitled case, unanimously find the defendant DAVID  
14 NOSAL guilty ☒ or not guilty \_\_\_\_\_ of gaining unauthorized access to a computer  
15 used in interstate or foreign commerce or communication with intent to defraud and obtaining  
16 something of value on or about July 29, 2005, in violation of 18 U.S.C. § 1030(a)(4).

17  
18 **COUNT NO. 5**

19 **UNAUTHORIZED DOWNLOADING, COPYING, AND DUPLICATING OF**  
20 **TRADE SECRETS WITHOUT AUTHORIZATION**

21 5. We, the Jury in the above-entitled case, unanimously find the defendant DAVID  
22 NOSAL guilty ☒ or not guilty \_\_\_\_\_ of downloading, copying, or duplicating trade  
23 secrets without authorization on or about April 12, 2005, in violation of 18 U.S.C. § 1832(a)(2).

**ALTERNATIVE FINDING: COUNT NO. 5**

**ATTEMPTED DOWNLOADING, COPYING, AND DUPLICATING OF  
TRADE SECRETS WITHOUT AUTHORIZATION**

6. We, the Jury in the above-entitled case, unanimously find the defendant DAVID NOSAL guilty \_\_\_\_\_ or not guilty \_\_\_\_\_ of attempted downloading, copying, or duplicating of trade secrets without authorization on or about April 12, 2005, in violation of 18 U.S.C. §§ 1832(a)(2) and (a)(4).

**COUNT NO. 6**

**RECEIPT AND POSSESSION OF STOLEN TRADE SECRETS**

7. We, the Jury in the above-entitled case, unanimously find the defendant DAVID NOSAL guilty ✓ or not guilty \_\_\_\_\_ of receipt or possession of stolen trade secrets on or about April 12, 2005, in violation of 18 U.S.C. § 1832(a)(3).

**ALTERNATIVE FINDING: COUNT NO. 6**

**ATTEMPTED RECEIPT AND POSSESSION OF STOLEN TRADE SECRETS**

8. We, the Jury in the above-entitled case, unanimously find the defendant DAVID NOSAL guilty \_\_\_\_\_ or not guilty \_\_\_\_\_ of attempted receipt or possession of stolen trade secrets on or about April 12, 2005, in violation of 18 U.S.C. §§ 1832(a)(3) and (a)(4).

*[Have the Foreperson date and sign the Verdict Form and send a note out that you have reached a unanimous verdict. When the entire panel is summoned to the courtroom for the reading of the verdict, the Foreperson shall bring the completed Verdict Form to the courtroom.]*

Dated: April 24, 2013

FOREPERSON